

INSTRUCTIONS FOR FINANCIAL DISCLOSURE REPORT

1. Public officers must file (not postmark) a report not later than fourteen (14) days after becoming a public officer or on **February 15** of each year. *29 Del. C. § 5813(c)*.
2. Pursuant to *29 Del. C. § 5812(n)*, the following persons are "Public Officers":
 - any person elected to any State office
 - any person filling a vacancy in an elective State office
 - any candidate who has filed for any State office
 - Research Director and Controller General of the Legislative Council
 - Chief Justice and Associate Justices of the Supreme Court
 - Chancellors and Vice Chancellors of the Court of Chancery
 - President Judge and Associate Judges of Superior Court
 - Chief Judge and Associate Judges of Family Court
 - Chief Judge and Resident Judges of the Court of Common Pleas
 - Chief Magistrate and Justices of the Peace
 - State Court Administrator and Administrators of Superior Court, Family Court, the Court of Common Pleas, and the Justice of the Peace Courts
 - Public Guardian; Executive Secretary, Violent Crimes Compensation Board; Executive Director, Child Placement Review Board
 - Cabinet Secretaries, Division Directors, and persons of equivalent rank within the Executive Branch
 - State Election Commissioner and the Administrative Directors and Assistant Administrative Directors of the Department of Elections
 - State Fire Marshal and Director, State Fire School
 - the Adjutant General of the Delaware National Guard
 - Delaware Alcoholic Beverage Control (ABC) Commissioner and ABC Appeals Commission members
3. The amount of income, value or degrees of ownership need not to be disclosed, except that the value of gifts must be disclosed. *29 Del. C. § 5813(a)(4)(e)*.
4. If additional space is needed, use a separate piece of paper.
5. In Section 4, indicate the date at which the information is established, e.g., as of January 31, 1996.
6. The report is subject to public inspection. *29 Del. C. § 5814(b)*.
7. Submit the report to:

**State Public Integrity Commission
Margaret O'Neill Building, Second Floor,
410 Federal Street, Suite 3
Dover, Delaware 19901**

**Phone: (302) 739-2399
FAX: (302) 739-2398**

DEFINITIONS

1. Definitions for Section 1:

- **“Fair market value”** means, if a security, the quoted price as of January 1 of the year in which the report is filed, or, if not a security, the price at which the public officer would sell as of January 1 of the year in which the report is filed. *29 Del. C. § 5812(g).*
- **“Instrument of ownership”** includes, but is not limited to common or preferred stock, rights, warrants, articles of partnership, proprietary interest, deeds, and debt instruments, if convertible to equity instruments. *29 Del. C. § 5812(k).*
- **“Business Enterprise”** means corporation, partnership, sole proprietorship or any other individual or organization carrying on a business or profession. *29 Del. C. § 5812(a).*
- **“Position of management”** means officer, director, partner, proprietor, or other managerial position in a business enterprise. *29 Del. C. § 5812(l).*
- **“Professional organization”** means an individual engaged in, or an association organized pursuant to, federal or State law for the practice of medicine, law, accounting, engineering, or other profession. *29 Del. C. § 5812(m).*
- **“Constructively controlled”** means:
 - (a) a financial interest in the name of another which is controlled by a public officer by virtue of any relationship of the public officer to another person which directly benefits the public officer;
 - (b) any financial interest of a public officer held jointly with the spouse or child of such public officer;
 - (c) any financial interest of the spouse or minor child of a public officer. *29 Del. C. § 5812 (d).*
- **“Time or demand deposits”** means checking and savings accounts in banks or deposits or share in savings and loan institutions, credit unions, or money market funds. *29 Del. C. § 5812(p).*
- **“Debt Instrument”** means bonds, notes, debentures, mortgages, or other securities having a fixed yield if not convertible to equity instruments. *29 Del. C. § 5812(e).*
- **“Equity instrument”** means any ownership interest in a corporation or other legal entity giving the rights to the holder upon liquidation of the entity. *29 Del. C. § 5812(f).*

2. Definitions of terms in the remaining sections are in those sections.

**FINANCIAL DISCLOSURE REPORT
(29 Del. C. , Chapter 58, Subchapter II)**

NAME:

BUSINESS ADDRESS:

STATE POSITION:

Section 1. **(See instruction sheet for definitions of underlined terms).** Report any legal or equitable ownership in excess of \$5,000 fair market value or from which income of more than \$5,000 was either derived during the preceding calendar year or might reasonably be expected to be derived during the current calendar year, in the following:

(A) Instruments of Ownership: (name, instrument and nature of ownership, e.g., IBM stock, shareholder).

(B) Business Enterprise: (name, nature of ownership & any position of management, e.g., JW Foods, partnership, director)

(C) Professional Organization: (name, address, type of practice (do not identify individual clients), & any position of management, e.g., ABC Law Firm, 123 Public Rd., Dover, DE, legal services, partner)

(D) Any of the preceding which are constructively controlled. (e.g., ABC Mutual funds, trustee for minor child).

DO NOT LIST: Time or demand deposits or a debt instrument with a fixed yield unless convertible to an equity instrument.

Section 2. List each creditor to whom you were indebted for 90 or more consecutive days during the preceding calendar year in an aggregate amount in excess of \$1,000.

Section 3. If any of the following were received during the preceding calendar year, or reasonably expected to be received during the current calendar year, **list the source**.

- A. **Any** income for services rendered exceeding \$1,000 from a single source, unless reported in Section 1. ("Income for services rendered" includes salary, wages, consulting fees and professional services.) ("Any" is all inclusive so income from the State is also to be listed as a source if received.)
- B. **Any** capital gain exceeding \$1,000 from a single source other than the sale of a residence occupied by the public officer. ("Capital gain" means gains that are reported under Internal Revenue Services laws.)
- C. **Any** reimbursement for expenditures exceeding \$1,000 from a single source; ("Reimbursement for expenditures" means payments to a public officer for expenses incurred by the public officer.)
- D. **Any** honoraria; ("Honoraria" means fees received for speeches, written articles, and participating in discussion groups and similar activities. It does not include reimbursement for expenses.)
- E. **Any** gift with a value in excess of \$250 from any person. **Identify the amount** of each gift. ("Gift" means: payment, subscription, advance, forbearance, rendering or deposit of money, services or anything of value unless consideration of equal or greater value is received. "Gift" is not: (1) political contributions otherwise reported as required by law; (2) commercially reasonable loans made in the ordinary course of business; or (3) gifts from: spouse; relatives of the public officer or public officer's spouse within the 3rd degree of consanguinity; or the spouse of any such relative.)

Section 4. Data in this report is provided as of _____.
(Date)

I HEREBY CERTIFY that I have read the foregoing report, and that, to the best of my knowledge and belief, it is true, correct, and complete. I further certify that I have not and will not hereafter transfer any assets, interests or property while retaining an equitable interest therein for the purpose of concealing said assets, interests or property from disclosure.

Public Officer Signature